United Nations A/HRC/38/NGO/83

General Assembly

Distr.: General
11 June 2018

English only

Human Rights Council
Thirty-eighth session
18 June-6 July 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

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The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.18-09469(E)
1809469

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Stateless Children of Activists and Dissidents in Bahrain

Introduction

RADDHO and its partner's express their deep concern over the discriminatory measures of the Bahraini authorities against the children of activists and dissidents to pressure and silence them. The Bahraini government has arbitrarily deprived the nationality of the children of detainees, who were born during the period when their parents are in prison for demanding political and civil rights. This is considered a violation of the Convention on the Rights of the Child, ratified by Bahrain in 1989 by Decree-Law No. 16 of 1991, on 13 February 1992, which affirmed the need to ensure their well-being and development.

Citizenship as a Punishment Tool in Bahrain

The right to a nationality is recognized in a range of legal instruments, international conventions on the elimination of all forms of racial discrimination and the International Covenant on Civil and Political Rights, which explicitly and universally prohibit arbitrary deprivation of nationality. Article 15 of the Universal Declaration of Human Rights explicitly states that no one shall be arbitrarily deprived of his nationality and that the General Assembly, in its resolution 50/152, avoids the fundamental nature of prohibiting the arbitrary deprivation of any person.

However, the Bahraini government has manipulated its citizenship policies as a punishment tool against human rights defenders and political activists. Recently, such measures have extended to family members of dissidents, including children. The Bahraini Ministry of Interior and the Central Information Agency rejected to issue a passport and an identity card for the child, Sarah Ali Salman, the daughter of the political detainee and the prominent opposition leader, Sheikh Ali Salman.

Stateless Children of Activists and Dissidents: The case of Sarah Ali Salman

In 2014, when Sarah Ali Salman was 40 days old, her father, Sheikh Ali Salman, was arrested by the Bahraini authorities for leading the demands for political reforms in the country and has detained in Jau Central Prison since then. On more than one occasion and through lawyers, Sarah's family has submitted applications for a passport and identity card for the child, but the authorities rejected the application in the pretext that the procedures require the physical presence of the father at the administration office.

In order for Sarah's application, Sheikh Ali Salman has demanded the prison administration and relevant judiciary authorities to issue permission to allow him to attend his daughter's registration. However, these requests did not receive a response without any justification despite the passage of three years, and the family were not even allowed to hire a lawyer to file the application on behalf of the sheikh.

As a result, Sarah Ali Salman, who will turn four years old in November, has not been able to obtain basic civil rights such as education, medical treatment, and travel. This is a flagrant violation of the international treaties ratified by Bahrain, notably the Convention on the Rights of the Child of the Bahraini Constitution, Article 17 that states: "Bahraini nationality shall be determined by law and may not be revoked from those who enjoy it except in the case of treason and other conditions specified by law".

Continuous Arrests and Prison Sentences of Activists

The Bahraini authorities arrested Sheikh Ali Salman in December 2014 and sentenced him to four years in prison after being charged with "inciting hatred of the regime, calling for the overthrow of the regime by force, insulting the judiciary, insulting the executive branch, People, bullying abroad, and broadcasting false data and news that would cause panic and disturb the security, and participate in rallies and gatherings that cause harm to the economy". Salman is also being tried on false charges of "Spying for Qatar".

The authorities not only fabricated all these malicious charges against Sheikh Ali Salman, but also wanted to punish him for his political and national stances through refusing to issue a passport or identity card to his daughter Sarah. This is unfortunately not the first and only victim of this policy of revenge and collective punishment carried out by the authority, where many of the families of political prisoners and human rights activists are constantly subjected to various types of harassment and deprivation of the most basic civil rights. The Bahraini authorities hit to the wall all agreements, covenants and international treaties that they have signed.

Recommendations

- The Bahraini authorities abide by international conventions, especially the Convention on the Rights of the Child.
- The Bahraini authorities should amend the domestic laws and develop political programs aimed at implementing the conventions that would achieve the best interests of the child.
- Immediately stop the use of children as a card of political conflict and grant all children deprived of citizenship or civil documents because of the presence of their parents in prison all of their rights.
- To create an atmosphere conducive to the full development and respect of basic fundamental rights of all children and citizens in the country.